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Governor Backs To Jail Life

STATES-ITEM

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Down on Threat

Writer

By BILL LYNCH
(States-Item Bureau)

BATON ROUGE—Gov. John J. McKeithen today backed down from his threat to have a Life Magazine writer arrested after members of the legislative committee probing organized crime charges warned the governor not to interfere.

McKeithen yesterday told a news conference he would swear out a warrant for the arrest of Life writer David L. Chandler of New Orleans for perjury if Chandler testified before the committee that an article in Life was correct.

But today the governor said he was chastized by committee members for his statement and said he has agreed to abide by the wishes of committee chairman Adrian G. Duplantier of New Orleans and refrain from interfering.

MEANWHILE, Duplantier, a state senator, was dealt a setback by the Senate itself, which voted 36-2 to permit members of the committee's advisory commission to question witnesses along with the elected officials on the committee itself.

Only Duplantier and Sen. Charles G. Smither voted against the measure, which soonsors said was designed to boost public confidence in the inquiry.

The crime probe grew out of an article written by Chandler which charged widespread Mafia influences in state government. The governor has branded the article a lie and the legislature set up the committee to look into the allegations.

The committee is made up of legislators but an advisory committee of prominent citizens has been named to oversee its work. The question of the exact role of the lay citizens has been a controversial point.

DUPLANTIER said yesterday Chandler has been subpoenaed to appear at a public hearing of the committee Wednesday. He and other members were upset visibly when informed of the governor's statements.

The governor today revealed that Duplantier advised him it was up to the committee to determine if Chandler should commit perjury.

"It has been suggested to me by the chairman of the legislative committee investigating organized crime in Louisiana that my statement of yesterday that I would personally have arrested an individual who committed perjury in testimony before the committee could possibly interfere in their efforts to have individuals appear under oath before the committee," McKeithen said.

"Additionally," he continued, "it has been suggested by the chairman that the determination of whether or not an individual should be charged with perjury is properly the prerogative of the committee.

"I HAVE been assured by the chairman that all individuals whose names were disparagingly used in the Life magazine article will be given the opportunity at the earliest practicable time to appear before the committee under oath for the opportunity of answering the disparaging charges."

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McKeithen said, "I do not want to interfere with the orderly and efficient and expeditious procedure of the committee and I have advised the chairman that I will abide by his suggestions."

The subpoena was served on Chandler Tuesday night at his home in New Orleans, according to Duplantier.

He said the committee also will meet June 11 and will have several other witnesses. Their names were not disclosed, with Duplantier saying it is the policy of the committee not to disclose witnesses in advance, though it was Duplantier himself who revealed Chandler had been subpoenaed.

HE DECLARED the committee will continue its investigation regardless of whether Chandler appears. There is a possibility Chandler's attorneys may attempt to block his appearance in the face of two libel suits against the magazine totaling $12 million.

The resolution adopted by the Senate regarding the role of the advisory commission was offered by Sen. B. B. "Sixty" Rayburn of Bogalusa, who said "people will have no confidence in the investigation unless members of the advisory commission are able to question witnesses."

He was supported by Sen. Jules G. Mollere of Jefferson Parish, who said he has been "getting tremendous pressure from constituents who fear the investigation will be a whitewash. There is no public confidence in elected officials or investigators."

Duplantier took the floor to angrily reply, saying:

"THE REASON there is no public confidence, senator, is people like you who go around saying there is no public confidence."

In the lengthy discussion on the matter, Duplantier launched into a description of his role as an assistant district attorney in the investigation of the police scandals in New Orleans in the early 1950s.

"Do you know who was the only person to go to jail as a result of the investigation — Aaron Kohn," said Duplantier. Kohn is managing director of the Metropolitan Crime Commission.

The senator said Kohn came to New Orleans "smearing everyone in sight" and finally was sent to Parish Prison for 10 days for contempt of court when he refused to reveal his sources of information about crime in New Orleans.

"MR. KOHN said he stood on his integrity. Integrity, my fanny! We put him where he belonged—in jail!"

Duplantier said his attitude toward investigations was deeply affected by this experience, which he called a "witch hunt." He said he is not going to permit the current probe to be "misled by reckless charges."

Meanwhile, Chandler, in New Orleans, declined to say whether he will obey the subpoena.

DUPLANTIER also said that the committee's investigation will not be confined to allegations by Life magazine but will extend to any other charges of organized crime influence on state or local government.

Meanwhile, the committee is having trouble deciding on a counsel to take over the job of interrogating witnesses. Under consideration is Thomas J. Malik of Laplace, the attorney who conducted the investigation of the Louisiana Loan and Thrift Corp. scandal for a legislative committee.

Malik was on hand for a meeting of the committee yesterday when it met to discuss procedural problems. However, he never was summoned and the decision was put off.

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Duplantier said a counsel probably will be named within a few days.

A number of attorneys already have turned down the job, including former assistant district attorney Charles Ward of New Orleans and former state Rep. Edgar Lancaster of Tallulah.

FRED ROTH, former head of a special state police unit investigating organized crime, will be the committee's investigator. He has been promised help from local and state police, Duplantier said.

A New Orleans industry which had recently hired Roth offered to pay his salary while he works for the committee, but the group decided the state should pay it.

A $100,000 appropriation bill will be made emergency legislation and pushed through the legislature as soon as possible. The committee, operating under an executive department grant of $10,000, will reimburse the governor's law enforcement fund.

Dean Paul M. Hebert,

chairman of the citizens advisory committee serving with the legislators, said a majority of his group favored asking questions directly of witnesses. A resolution has been filed in the Senate to spell out the right of citizen members to ask questions.

HEBERT SAID that until the resolution becomes effective the present plan is to have written questions submitted and all asked.

The advisory group held a unique executive session of its own, excluding the seven-member legislative group from its session.

Duplantier also said that the committee has no established definition of organized crime. There has been some thought expressed that trying to establish such a definition might confine the investigation too narrowly.